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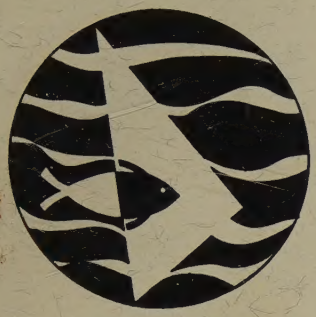

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ESTABLISHMENT, STRUCTURE, FUNCTIONS AND ACTIVITIES OF INTERNATIONAL FISHERIES BODIES

III - Regional Fisheries Advisory Commission for the South West Atlantic (CARPAS)

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Rome, 1966

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SAST Data concerning certain species and fish stocks.

MAST Information on methods and subjects.

OT Oceanographic data.

IT Limnological data.
and

CART Information concerning fisheries and resources of certain countries and regions (FID/S).

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MAST Renseignements sur des méthodes et des sujets.

OT Données océanographiques.

IT Données limnologiques.
et

CART Renseignements sur les pêcheries et les ressources de certains pays et régions (FID/S).

Grupos especiales de sinopsis se distinguen con las siglas siguientes, seguidas por números de clasificación que se basan en las claves de los índices de la « Current Bibliography ».

SAST Datos relativos a ciertas especies y poblaciones.

MAST Sinopsis sobre métodos y materias.

OT Sinopsis sobre oceanografía.

IT Sinopsis sobre limnología.
y

CART Información sobre los recursos acuáticos vivos de algunos países y regiones (FID/S).

FAO Fisheries Technical Paper **FR/ (No.)**

Special groups of Technical Papers are identified by:

RE Indexed lists of experts and institutions drawn from Registers maintained by the Fishery Resources and Exploitation Division.

CB Lists of periodicals, special sections of "Current Bibliography for Aquatic Sciences and Fisheries", special bibliographies and papers concerning documentation problems.

MFS Provisional editions of "FAO Manuals in Fisheries Science".

Some documents also have another identification, if, for example, they have been contributed to a meeting for which papers have been numbered according to another system.

Des catégories spéciales de documents techniques sont identifiées à l'aide des symboles suivants:

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CB Listes de périodiques, des sections spéciales de la « Current Bibliography for Aquatic Sciences and Fisheries », des bibliographies particulières et des articles sur les problèmes de documentation.

MFS Editions provisoires des « Manuels FAO de science halieutique ».

Il arrive que certains documents portent d'autres numéros d'identification, comme c'est le cas s'ils ont été préparés pour une réunion dont les documents ont été marqués à l'aide d'un autre système.

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CB Listas de periódicos, secciones especiales de la « Current Bibliography for Aquatic Sciences and Fisheries », bibliografías especiales y trabajos relativos a los problemas de documentación.

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ESTABLISHMENT, STRUCTURE, FUNCTIONS AND ACTIVITIES OF INTERNATIONAL FISHERIES BODIES

III - REGIONAL FISHERIES ADVISORY COMMISSION FOR THE SOUTH WEST ATLANTIC (CARPAS)

by

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Legislation Research Branch

and

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Fishery Resources and Exploitation Division

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Rome, February 1966

MI/42263/E

PREPARATION OF THIS PAPER

This paper presents a factual analysis of the organization, aims and methods of the Regional Fisheries Advisory Commission for the South West Atlantic and appends, for convenience of readers, the Statutes and Rules of Procedure of the Commission. This paper has been checked by Mr. A. Miyares, Secretary of the Commission.

Distribution :

FAO Legislation Research Branch
FAO Department of Fisheries
FAO Regional Fisheries Officers
ACMRR Working Party on
FAO Regional Fisheries Bodies
CARPAS
Selector 5

"Current Bibliography" entry :

Carroz, J.E. and FAO Fishery Resources and MF
Exploitation Division, Marine Biology
and Environment Branch (1966)
FAO Fish.tech.Pap., (60):29 p.
Establishment, structure, functions and
activities of international fisheries
bodies. III. Regional Fisheries Advisory
Commission for the South West Atlantic
(CARPAS)

Reviews the establishment, statutes, membership area covered, functions, structure and its work. Lists its reports and publications. Appends statutes and rules of procedure, as well as a map for statistical area breakdown.

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1. INTRODUCTION

This paper is the third in a series the purpose of which is to review the establishment, structure, functions and activities of international fisheries bodies. Papers I and II dealt with the Indo-Pacific Fisheries Council and with the Inter-American Tropical Tuna Commission (FAO Fisheries Technical Papers FIb/T57 and FIb/T58).

The object of this paper is to present a factual analysis of the organization, aims and methods of the Regional Fisheries Advisory Commission for the South West Atlantic (CARPAS : Comisión Asesora Regional de Pesca para el Atlántico Sudoccidental), which was established in 1962 under Article VI (1) of the Constitution of FAO. Argentina, Brazil and Uruguay are members of the Commission.

The Commission serves a geographic area where the production from fisheries, and particularly from sea fisheries, has been steadily increasing during the last two decades. From 200,000 metric tons in 1948, the catch (live weight equivalent of landings) reached 600,000 metric tons in 1964 (FAO Yearbook of Fishery Statistics, Vol. 18, Table A 3-1). It appears that more intensive and extensive exploitation would be feasible and one of the Commission's main tasks is to encourage co-operative action for the investigation and rational utilization of these resources.

The role of the Commission is particularly useful for the standardization of methodology and co-ordination of research within the framework of the United Nations Development Programme, including the Technical Assistance sector and the Special Fund sector of this Programme.

2. HISTORY OF THE ESTABLISHMENT OF CARPAS

At its Second Session in September 1946, the FAO Conference suggested that regional fisheries bodies should be set up under the aegis of the Organization on a priority basis in specific areas. The South West Atlantic was not then mentioned. However, when the FAO Conference recommended at its Third Session in August 1947 that the Organization should take action to initiate the formation of regional bodies for the scientific exploration of the sea, the South West Atlantic, as well as the South East Pacific, were included among the areas to be given priority. The Conference also agreed that the delimitation of these areas and the constitution of the fisheries bodies should be left open for discussion and determination by the nations concerned.

In December 1950, the Second FAO Latin American Regional Meeting on Food and Agricultural Programs and Outlook, held at Montevideo, Uruguay, requested the Director-General of FAO to convene a meeting of Member Governments of FAO in Latin America to draft an agreement for the establishment of a Latin American Fisheries Council.

At the invitation of FAO, representatives of interested governments (Brazil, Chile, Colombia, Costa Rica, Cuba, El Salvador, France, Mexico, the Netherlands, Nicaragua, Panama, Peru, the United Kingdom, the United States of America, and Uruguay) met at Lima, Peru, from 17 to 22 September 1951, and prepared a draft agreement to establish a Latin American Fisheries Council under Article XIV of the FAO Constitution; this was to be similar to the agreements which had set up the Indo-Pacific Fisheries Council in 1948 and the General Fisheries Council for the Mediterranean in 1949. At its Sixth Session in November-December 1951, the FAO Conference approved the draft agreement and submitted it to interested Member Nations for acceptance (Resolution

No. 88/51).

At its Tenth Session in October-November 1959, the FAO Conference noted that only two governments had deposited instruments of acceptance since 1951. It decided that the draft agreement should remain open for acceptance until 30 September 1960 and that, if by that date the required five notifications of acceptance to bring the instrument into force had not been received, the draft agreement should be considered as having been withdrawn. It also requested the Director-General of FAO, should the agreement not come into force, to explore the possibility of establishing a regional fisheries commission or commissions under Article VI of the FAO Constitution to serve those Latin American countries for which no such body had been provided (Resolution No. 76/59). As will be seen below, this was the course of action actually followed as the Latin American Fisheries Council never came into being.

The FAO Conference was now of the opinion that in Latin America, smaller groups of states might more readily find matters of common interest to them relating to fisheries; this was in contrast with the wide scope of the original proposal for a Latin American Fisheries Council, which had been open to all Member Nations of FAO and also, under certain conditions, to non-member nations (Article VIII of the draft agreement). A Standing Committee of the Conference on the Use and Conservation of the Marine Resources of the South Pacific had been set up outside FAO by an Agreement between Chile, Ecuador and Peru, signed on 18 August 1952. In addition, at the First Regional Technical Conference of the American Nations of the South Atlantic on the Exploitation of the Resources of the Sea, held at Montevideo, Uruguay, on 30 September 1959, the delegations of Argentina, Brazil and Uruguay had recommended that their governments should take the necessary steps to create and form on a permanent basis a regional fisheries body.

At its Tenth Session, the FAO Conference also adopted another resolution on the subject, recognizing that the general objectives of the proposed Latin American Fisheries Council could best be achieved within a limited area comprising a number of countries which, through their geographical location, had problems in common and which were prepared to co-ordinate their activities in order to advance the development of their fisheries industries. Observing that Argentina, Brazil and Uruguay had expressed particular interest in mutual co-operation on common problems, the Conference requested the Director-General to study, together with the governments of the American countries of the South Atlantic concerned, the possibility of creating a regional fisheries commission to serve the area in a form similar to that of other FAO regional fisheries councils or commissions (Resolution No. 25/59). The Director-General was also requested to study the possibility of developing a co-ordinated project of fisheries technical assistance in the area and of advising the governments concerned on the best way of implementing such a project.

At the Second Regional Technical Conference of the American Nations of the South Atlantic on the Exploitation of the Resources of the Sea, held at Rio de Janeiro, Brazil, from 12 to 14 July 1960, the delegations of Argentina, Brazil and Uruguay recommended reiterating the urgent necessity of establishing a regional fisheries commission, so as to take maximum advantage of FAO technical assistance for the triennium 1960-1962. Early in 1960, FAO had started informal consultations with officials of these countries. After the 30th of September 1960, date on which the draft agreement for the establishment of a Latin American Fisheries Council could be considered as having been withdrawn in accordance with Resolution No. 76/59 adopted by the FAO Conference at its Tenth Session in 1959, more active steps were taken with a view to preparing, together with the governments concerned, draft statutes for the creation of the proposed regional commission.

The draft statutes were submitted to the Eleventh Session of the FAO Conference in November 1961. The Conference examined the proposed text and noted that the delegates of the governments concerned had indicated that some adjustments would be required. It decided formally to establish, under paragraph 1 of Article VI of the FAO Constitution, the Regional Fisheries Advisory Commission for the South West Atlantic. In addition, it authorized the Director-General to determine, in the light of the draft statutes submitted and in consultation with the FAO Committee on Constitutional and Legal Matters, the terms of reference, scope of activities and reporting procedures of the Commission, as well as other appropriate provisions applicable to the Commission in conformity with the principles and procedures of the Organization governing committees and commissions (Resolution No. 25/61).

The FAO Committee on Constitutional and Legal Matters considered the draft statutes at its Sixth Session on 29-30 January 1962 and at its Seventh Session on 9-10 April 1962, taking into account the views expressed by the Governments of Argentina, Brazil and Uruguay. The main problems, as in prior consultations and negotiations, seemed to be the wording of the membership clause and the nature and status of the subsidiary bodies of the Commission.

After having secured the concurrence of the three Latin American countries directly concerned, the Director-General of FAO signed the Statutes of the Commission on 17 May 1962, thus promulgating the text (see Appendix I) and giving it force as from that date.

The Commission held its First Session at Rio de Janeiro, Brazil, from 10 to 14 December 1962.

3. STATUS OF CARPAS IN RELATION TO FAO

The Commission was set up by the Conference of FAO pursuant to the terms of Article VI (1) of the Constitution of the Organization. This Article provides *inter alia* that the Conference or Council of the Organization may establish regional commissions open to FAO Member Nations and Associate Members whose territories are situated wholly or partly in one or more regions, to advise on the formulation and implementation of policy and to co-ordinate the implementation of policy. Thus, in contrast to Article XIV of the Constitution, which envisages the establishment of commissions and committees within the framework of FAO by conventions and agreements concluded amongst Member Nations and, under certain conditions, such non-member nations as are members of the United Nations, Article VI (1) empowers the Conference or Council to establish commissions merely by a decision on their part and restricts the membership of such commissions to Member Nations and Associate Members. As has been seen, the creation of this commission by resolution of the Conference did not preclude close consultation, at all stages, with the interested countries, all of which were Member Nations of FAO.

The establishment of the Commission under Article VI (1), rather than Article XIV, was in conformity with the policy of the Organization, as expressed by the Conference at its Ninth Session in November 1957, that conventions and agreements under Article XIV should be concluded only when they entail for the contracting parties obligations, financial or otherwise, going beyond those assumed under the Constitution (Report of the Ninth Session of the FAO Conference, paras. 507-508, and Resolution No. 46/57).

As a body set up under Article VI (1) of the FAO Constitution*, the Commission is not a legal entity distinct from FAO. Its relationship with the Conference, the Council and the Director-General of FAO, as well as the extent and character of the responsibility of the Organization with respect to the Commission, are defined in the CARPAS Statutes and Rules of Procedure. They will be described in detail in the following sections of this paper. As appropriate, reference will also be made to the provisions of the Constitution and the General Rules of the Organization and to the resolutions, principles and procedures adopted by the FAO Conference as they apply to commissions set up under Article VI (1).

4. MEMBERSHIP OF CARPAS

4.1 Eligibility

Paragraph 1 of the CARPAS Statutes lays down the conditions which countries must fulfil in order to be eligible for membership of the Commission. To become members of the Commission, countries must:

- be Member Nations of FAO. Bodies established under Article VI of the FAO Constitution are never open to countries which are not Member Nations or Associate Members of the Organization, even if they are members of the United Nations. In the present case, there are no Associate Members in the region concerned;

- belong the American Continent and have coasts bordering on the Western Atlantic Ocean south of the Equator. This requirement defines very clearly the region concerned and all but designates the few eligible countries. It may be noted that Antarctica and the various islands in the region are not included; and

- notify the Director-General of FAO of their desire to be considered members, the effective date of membership being the date of receipt of this notification.

The members of the Commission are Argentina (letter of 28 November 1962 from the Argentine Embassy in Rome), Brazil (letter of 16 June 1962 from the Brazilian Embassy in Rome) and Uruguay (cable of 31 May 1962 from the Minister for Foreign Affairs).

4.2 Territorial application

In view of the conditions governing eligibility for membership of the Commission, no question would seem to arise about the possible membership of any FAO Member Nation which though outside the American Continent is responsible for the administration or external relations of any territory in the geographic area concerned.

The only question raised in connection with the territorial application of the

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* So far the following other regional fisheries bodies have been established within the framework of FAO under Article VI (1) of its Constitution : the European Inland Fisheries Advisory Commission and the Regional Fisheries Commission for Western Africa.

Statutes has been the extent of participation by Brazil as a result of the reference in the Statutes to the area situated south of the Equator. At the First Session of the Commission, the Brazilian delegation requested that the entire territory of Brazil and not only the southern part should be included in CARPAS. Noting that the Statutes deal with membership and participation by making a reference to Nations and not to the zone as such, the Commission came to the conclusion that the Nation should be considered as a whole (Report of the First Session of CARPAS, FI/R12, p. 9).

4.3 Reservations

The Statutes of CARPAS contain no provision enabling eligible countries to make their membership subject to reservations. The "Principles and procedures which should govern conventions and agreements under Articles XIV and XV of the Constitution, and commissions and committees established under Article VI of the Constitution", as adopted by the Conference of FAO at its Ninth Session in 1957, provide that conventions and agreements under Article XIV shall include a clause on the admissibility of reservations, but no similar requirement is made with respect to the statutes of bodies set up under Article VI of the FAO Constitution.

Since bodies set up under paragraph (1) of Article VI are established by a decision of the competent organ of FAO, it seems that it is not possible for an eligible member country to make reservations, even if they were to be accepted unanimously by the other members. Paragraph (3) of the same Article makes it clear that the terms of reference and reporting procedures of such bodies are determined by the competent organ of FAO. Bodies established under Article VI may, if necessary, suggest amendments to the basic resolution by which they were set up and which determined their terms of reference. Any proposals for such amendments must be transmitted to the Director-General of FAO in time for inclusion in the agenda of the Council or Conference as appropriate. In dealing with CARPAS, it should be remembered that the countries concerned were closely associated with the elaboration of the Statutes.

4.4 Withdrawal

The CARPAS Statutes and Rules of Procedure, as well as the "Principles and procedures" referred to under Section 4.3 above, pass over the matter of withdrawal from the Commission in silence. Although this may seem largely academic, it would appear that any member may withdraw from the Commission by means of an official notification addressed to the Director-General of FAO. Any member of the Commission that withdraws from FAO would of course cease to be a member of the Commission when its notice of withdrawal from the Organization takes effect under Article XIX of the Constitution, namely one year after the date of its communication to the Director-General.

5. GRANTING OF OBSERVER STATUS TO NATIONS

Both the CARPAS Statutes and Rules of Procedure contain provisions concerning the granting of observer status to Nations.

5.1 Member Nations and Associate Members of FAO

The Rules of Procedure provide that attendance by Member Nations and Associate Members of FAO at sessions of the Commission as observers is "subject to the relevant provisions governing the granting of observer status, as adopted by the Conference of the Organization" (Rule VI (1)). This refers to the Statement of Principles relating to the granting of observer status to nations, as adopted by the FAO Conference at its Ninth Session in 1957 (Resolution No. 43/57) and as further clarified by the Conference at its Tenth Session in 1959 (Resolution No. 68/59).

Any Member Nation or Associate Member of FAO that is not a member of the Commission but has a special interest in its work, may attend sessions of the Commission as an observer. A request to that effect has to be communicated to the Director-General of FAO and notice of the intention to attend must be given to him at least fifteen days before the session; such notice may, however, be waived by the Commission (Paragraph 6 (i) of the CARPAS Statutes).

Member Nations and Associate Members of FAO may be represented by observers only at sessions of the Commission itself and not of its subsidiary bodies. When discussing the Statutes of CARPAS, the FAO Committee on Constitutional and Legal Matters noted that the Statutes of the Regional Fisheries Commission for Western Africa, also established under Article VI (1) of the FAO Constitution, contain a clause to the effect that any Member Nation and any Associate Member that is not a member of the Commission, may attend sessions of the Commission and of its subsidiary bodies and ad hoc meetings as an observer. For CARPAS, however, the Committee on Constitutional and Legal Matters pointed out that the Commission could only establish bodies consisting of selected members or of individuals appointed in their personal capacity. Noting that under the Statement of Principles relating to the granting of observer status to nations as adopted by the FAO Conference, committees consisting of a limited number of Member Nations and Associate Members are not as a rule open to attendance by observers from other Member Nations or Associate Members, the Committee was of the opinion that inclusion of the clause applicable to the Regional Fisheries Commission for Western Africa, was not called for in the case of CARPAS (Report of the Seventh Session of the Committee on Constitutional and Legal Matters, Rome, 9-10 April 1962).

Observer status is granted to Member Nations and Associate Members of FAO which have "a special interest in the work of the Commission" (Paragraph 6 (i) of the CARPAS Statutes). The concept of "special interest" is not defined and ultimately seems to be left to the appreciation of the Director-General of FAO. Reference may be made in this connection to paragraph 3 of the above-mentioned Statement of Principles relating to the granting of observer status to nations, where it is indicated that Member Nations and Associate Members wishing to attend as observers meetings of a regional commission set up under Article VI of the FAO Constitution, must have a "definite interest in the subject matter to be discussed", even though they do not belong to the particular region.

In practice, all Member Nations and Associate Members of FAO were informed by the Director-General of the date of the First Session of the Commission and their attention was called to the provisions concerning membership and observer status. Several countries not eligible for membership stated their intention of sending observers, whereupon they were invited by the Director-General to do so. Information concerning the provisional agenda and the convening of the Second Session was sent by the Secretary of the Commission to the embassies in Brazil (where the headquarters of the Commission is located) of those countries which he thought to be interested in attending the meetings as observers.

If a Member Nation or Associate Member sends observers without having communicated a request for observer status to the Director-General of FAO and if the Commission decides to exercise its prerogative to waive the fifteen days' notice requirement, it would appear that the Director-General's concurrence in recognizing the right to attend as observer is still needed, either directly or through his representative.

Observers may be permitted to participate in the discussions of the Commission, subject to the approval of the Chairman and without the right to vote; to receive the documents for the meeting, other than those of a restricted nature, and the report of the meeting; to submit written statements on particular items of the agenda; and to attend private meetings of the Commission, unless the latter decides otherwise.

5.2 Other Nations

Observer status may also be granted upon request to nations which, while not Member Nations or Associate Members of FAO, are members of the United Nations.

Paragraph 6 (ii) of the CARPAS Statutes provides that the request must be approved by the Council of FAO, "upon recommendation of the Commission or its executive committee, if any". The corresponding provision of the Rules of Procedure does not contain a specific reference to the "executive committee".

As in the case of Member Nations or Associate Members of FAO, observer status is granted only with respect to the sessions of the Commission itself. The conditions of attendance are similar in both cases, although the reference to the rules applicable is not worded in exactly the same way. Here, attendance is made specifically subject to "the Statement of Principles relating to the granting of observer status to nations" adopted by the Conference of FAO (Rule VI (2) of the CARPAS Rules of Procedure).

The relevant provisions of the Statutes and of the Rules of Procedure do not indicate that the nations requesting observer status must have a "special interest in the work of the Commission", as is the case with respect to Member Nations and Associate Members of FAO. It may be presumed, however, that the existence of such interest would be taken into consideration by the Council of FAO when examining a request to attend a session of the Commission in an observer capacity.

Nations which are neither Members or Associate Members of FAO nor Members of the United Nations, may not be permitted to send observers to any session of the Commission.

6. AREA COVERED BY THE CARPAS STATUTES

The geographic area served by the Commission includes both the inland waters of its members (Argentina, Brazil and Uruguay) and the waters of the South West Atlantic.

The CARPAS Statutes do not give any specific delimitation of the area which the South West Atlantic covers. The only indication in this respect is contained in the membership clause, which refers to all FAO Member Nations of the American Continent whose territories have coasts bordering on the Western Atlantic Ocean south of the Equator. The territorial sea of the members of the Commission is clearly included. As regards the northern and the southern limits of the area, it would appear that the reference to the Equator and to the American Continent concerns exclusively the question of eligibility and is not intended to fix boundaries. This is confirmed by

the fact that the Commission, at its First Session, decided that the entire territory of Brazil should be included in the area of interest. As to the eastern limit, a close examination of the preparatory work which preceded the establishment of the Commission, shows that it was not thought advisable at that time to set up a specific meridian as a boundary. Nor, for that matter, was a meridian chosen in the Atlantic as a western limit to the geographic area of interest to the Regional Fisheries Commission for Western Africa, also established under Article VI (1) of the FAO Constitution.

At its first meeting held at Buenos Aires, Argentina, from 29 November to 5 December 1965, the CARPAS Working Party on Fisheries Statistics recommended that a statistical sea area be established for the Commission. This would not necessarily correspond to the area of interest referred to above and would represent the sea area in which the member countries would be expected to provide statistical data on fisheries. This statistical sea area would include the waters of the Atlantic Ocean delimited in the following way:

Beginning at a point on the South American Continent where the parallel of 5 degrees north latitude intersects the coast; thence due east to the meridian of 30 degrees west longitude; thence due south to the equator; thence due east to the meridian of 20 degrees west longitude; thence due south to the parallel of 60 degrees south latitude; thence due west to the meridian of 70 degrees west longitude; thence due north to the coast of the Isla Grande de Tierra del Fuego; thence anti-clockwise along the coast of the said island to the Cabo Espíritu Santo; thence across the eastern entrance of the Strait of Magellan to Punta Dungeness; thence along the coast of the South American Continent to the point where the parallel of 5 degrees north latitude intersects the coast.

A map of this statistical area is reproduced in Appendix II.

7. FUNCTIONS OF CARPAS

Article VI (1) of the FAO Constitution, under which CARPAS was set up, provides that the Conference or Council of the Organization may establish commissions "to advise on the formulation and implementation of policy and to co-ordinate the implementation of policy".

When the FAO Conference discussed, at its Third Session in 1947, the proposed establishment of regional fisheries bodies, it was stressed that the full utilization of the resources of the sea must rest upon scientific inquiry and noted that regional bodies of this kind would furnish the means of furthering this end by international co-operation. At the Fourth Session of the Conference in 1948, it was emphasized again that basic knowledge on sea and fresh-water fisheries was essential to secure maximum continuous yield. It was further stated that the facets of the scientific problems involved were so intricate and the field so extensive and international in nature, that it was beyond the capacity of any one nation to secure adequate information by itself in a completely effective manner.

These two main objectives - advising FAO and promoting co-operation among CARPAS members - constitute the basis of the purposes and terms of reference of the Commission as laid down in paragraph 2 of the CARPAS Statutes :

" a) to advise the Organization in respect of its work in fisheries within the geographic area served by the Commission,

b) to advise on the evolution of an organized approach among the interested members of the Commission in respect of the administration and rational exploitation of marine and inland fisheries and to encourage co-operative action in the investigation of fishery resources and in other relevant research,

c) to assist in the collection and dissemination of pertinent information,

d) to encourage the training and proper utilization of competent professional personnel in the fisheries programs of the members of the Commission,

e) to assist in the organization of appropriate discussions among experts in fishery questions concerning the geographic area served by the Commission, and

f) to promote liaison and co-operation among competent institutions within the geographic area served by the Commission insofar as the Constitution, the General Rules, regulations and facilities of the Organization permit."

The functions of the Commission are very broad, in the sense that they cover all aspects of both marine and inland fisheries. These include the biological, environmental, scientific, technical, economic, administrative and other problems involved. Indeed, the terms of reference of the FAO fisheries councils and commissions are usually much broader than those of other fisheries bodies set up outside FAO by international convention. The activities of the latter are in general restricted to the investigation and conservation of the resources in the fresh or sea waters of interest; in several cases, they concern themselves with only one fish species.

The functions of CARPAS, however, are essentially advisory in character. As regards for example the conservation of fisheries resources, unlike certain international fisheries commissions operating in other parts of the world outside the framework of FAO, the Commission does not have regulatory powers such as prescribing open and closed seasons, minimum size of mesh for nets, size limits for fish or overall catch limits. Nor does the Commission employ an international staff to carry out independent research and investigations.

After considering any matter pertaining to its functions, the Commission may make proposals and recommendations normally to its members or to FAO. The CARPAS Rules of Procedure provide that the conclusions and recommendations of the Commission are transmitted at the close of each session to the Director-General of the Organization, who circulates them to members of the Commission, Member Nations and Associate Members represented at the session, international organizations invited to attend, and, upon request, to other Member Nations and Associate Members of FAO (Rule VII (2) of the CARPAS Rules of Procedure).

In preparing the program of work and budget of FAO, the Director-General is required to take into account recommendations having policy, program or financial implications for the Organization and to bring them to the attention of the Conference or Council for appropriate action (Rule VII (3)). As regards recommendations and proposals addressed to members of the Commission, he is empowered to request the countries concerned to supply the Commission with information on action taken on the basis of such recommendations and proposals (Rule VII (4)).

Indeed, the close relationship between the Commission's activities and FAO work in the region should be emphasized. The subject matters to which the Commission directs its attention have a great deal in common with those that fall within

the responsibility of the FAO fisheries officers stationed in the region, and the staff of the FAO Department of Fisheries, in servicing the Commission and its subsidiary bodies, are able to carry out more effectively the FAO fisheries program in the area. This is particularly true as regards the technical assistance programs and more especially the United Nations Special Fund projects for which FAO is the executing agency in Argentina and Brazil. Thus, the main objectives of the Special Fund fisheries project in Argentina, approved in January 1965, are to conduct an extensive experimental and exploratory fishing survey, including biological and environmental studies, and to provide advisory services to help the Argentine Government and industry overcome institutional and other problems which have been hampering fisheries development. The Special Fund fisheries project in Brazil, approved in July 1965, calls in its first phase for reorganization of governmental fisheries institutions, the elaboration of new legislation on fishing, research, training, etc. If the first phase proves successful, the project will enter into second phase which will be operational.

It was largely the need to promote and co-ordinate adequate technical assistance programmes in the region that gave rise to the establishment of the Commission. Indeed, the Commission devotes much attention to technical assistance problems and it has contributed to lay down the bases for the elaboration of the above-mentioned projects in the Special Fund sector of the United Nations Development Programme.

8. STRUCTURE OF CARPAS AND ORGANIZATION OF ITS WORK

The Commission carries out its activities at sessions, during which it is assisted by elected officers and by the Secretariat provided by FAO. With a view to ensuring continuity of the Commission's work, the subsidiary bodies which the Commission may establish and the Secretariat have important functions to fulfil during the intervals between sessions. The organization of the Commission's sessions, and the membership and functions of the subsidiary bodies and of the Secretariat will be examined below.

8.1 Sessions of the Commission

8.1.1 Convening and organization

The CARPAS Statutes provide that the Commission shall hold sessions at such time and place as shall be determined by the Director-General of FAO in consultation with the Chairman of the Commission and with the competent authorities of the host country (Paragraph 4 (i)). The Rules of Procedure add that, normally, the date and place of each session shall be communicated to all members of the Commission two months before the session (Rule III (2)). Neither the Statutes nor the Rules of Procedure make a distinction between regular and special sessions.

No indication is given about the frequency of the sessions. At its First Session, held at Rio de Janeiro, Brazil, in December 1962, the Commission agreed that it would meet once a year (Report of the First Session of CARPAS, FI/R12, p. 10). The Second Session took place at Mar del Plata, Argentina, in April 1964. It is expected that the Third Session will be convened by the Director-General of FAO in April 1966 at Montevideo, Uruguay.

Before the opening of sessions, each member country of the Commission is required to communicate to the Director-General of FAO the name of its representative, who should so far as possible have responsibilities that include the formulation and imple-

mentation of the fisheries policy in his own country. Member countries are entitled to send one representative, and he may be accompanied by an alternate and advisers (Paragraph 4 (ii) of the Statutes and Rule I (2) of the Rules of Procedure).

Meetings of the Commission are public, unless the Commission decides otherwise (Rule III (5)). They are conducted in Spanish, which is the official language of the Commission. Representatives using any other language must provide for interpretation into the official language (Rule X).

The meetings of the Commission are presided over by the Chairman, or in his absence by one of the two Vice-Chairmen, whom the Commission elects at the close of each session; they remain in office until the election of a new Chairman and Vice-Chairmen. These officers are eligible for re-election. In the event that both the Chairman and the Vice-Chairmen are unable to serve, the Director-General of FAO or his representative acts as Chairman, until new officers have been elected (Rule II).

The Secretary of the Commission (see Section 8.3 below) serves as secretary during the sessions. He is usually assisted by the other FAO fisheries officers stationed in the region and by such staff as may be detailed from Headquarters.

To facilitate discussion of the various items on the agenda, the Commission normally sets up working groups for the duration of the sessions. At its First Session, three working groups dealt respectively with: I. Oceanography and fisheries biology; II. Technology and economics; and, III. Technical assistance programme for Argentina, Brazil and Uruguay. At its Second Session, the four working groups established concerned themselves with: I. Evaluation of fisheries potential; II. Research on aquatic environment; III. Fisheries and fish technology, and social and economic problems; and, IV. Expanded technical assistance programme.

8.1.2 Voting

The CARPAS Statutes provide that a majority of the members of the Commission constitute a quorum (Paragraph 5 (i)).

Each member of the Commission has one vote (Paragraph 5 (ii) of the CARPAS Statutes). The vote is normally cast by the representative designated by each member country, but an alternate or adviser is entitled to vote when subsituting for the representative (Rule III (3) of the CARPAS Rules of Procedure).

In the absence of any other provision on the subject, it seems that it may be inferred from Paragraph 5 (ii) of the Statutes quoted above, that the Chairman, or a Vice-Chairman acting as Chairman, is not entitled to vote. This point is important in view of the very limited membership of the Commission. Rule V of the CARPAS Rules of Procedure, which relates to voting and procedures, states that in addition to its own provisions, the provisions of Rule XII of the General Rules of FAO shall apply mutatis mutandis. Rule XII indeed deals in great detail with the voting arrangements at meetings of the FAO Conference and Council, but it does not contain any indication as regards the voting rights of the Chairman. This is to be found in Rule IX (3) which provides that "the Chairman, or a Vice-Chairman acting as Chairman, shall not vote but may appoint an alternate, associate or adviser from his delegation to vote in his place". It may be assumed that the same principle is applicable in the case of the Commission, despite the omission, in the CARPAS Rules of Procedure, of any specific provision on the subject or of any reference to the relevant provision of the General Rules of FAO.

According to Paragraph 5 (iii) of the CARPAS Statutes, the decisions of the Commission are taken by a majority of the votes cast, unless otherwise provided in the Rules of Procedure. The only case in which a higher majority is required is for the adoption of amendments or additions to the Rules of Procedure. These amendments or additions must be adopted by a two-thirds majority of the membership of the Commission (Rule XI (1) of the CARPAS Rules of Procedure). With a membership limited to three countries, it may be noted that the concurring votes of at least two members will be necessary in all cases.

Voting is normally by show of hands, but it may be by roll-call upon the request of any member of the Commission or by secret ballot when the Commission so decides (Rule V (3) and (4) of the CARPAS Rules of Procedure).

8.1.3 Agenda

Rule IV of the CARPAS Rules of Procedure contairs detailed provisions concerning the preparation and adoption of the agenda for each session of the Commission.

The provisional agenda is prepared by the Director-General of FAO, after consultation with the Chairman of the Commission. Any member country of the Commission may request the Director-General of FAO to include specific items on the provisional agenda; this is circulated by the Director-General to all member countries of the Commission, normally two months before the opening of the session (Rule IV (2), (3) and (4)). The provision concerning the transmittal of relevant documents in advance of the session seems to imply that the provisional agenda is also sent to the other Member Nations (and presumably to the Associate Members) of FAO attending the session and to the non-member nations and international organizations invited to attend the session (Rule IV (7)).

After the dispatch of the provisional agenda, any member of the Commission and the Director-General of FAO may propose the inclusion of specific items in the agenda with respect to matters of an urgent nature. These items are then placed on a supplementary list, which, if time permits before the opening of the session, is circulated by the Director-General of FAO to all members of the Commission. If this does not prove possible, the list is communicated to the Chairman for submission to the Commission.

The adoption of the agenda is the first item on the provisional agenda. After the agenda has been adopted, the Commission may, by a majority of the votes cast, amend it by the deletion, addition or modification of any item. However, the Rules of Procedure specify that no matter referred to the Commission by the Conference or Council of FAO may be omitted from the agenda (Rule IV (6)). It may be presumed that the Commission is not permitted to modify such items when they are placed on the agenda. In addition, it may be assumed that the intention was to cover not only the matters referred to the Commission by the Conference or Council of FAO, but also by the Director-General.

8.1.4 Rules of Procedure

Article VI (3) of the FAO Constitution provides that the commissions established under that Article may adopt their own rules of procedure and amendments thereto, which shall come into force upon approval by the Director-General subject to confirmation by the Conference or Council, as appropriate. With the exception of the reference to the Conference, this provision is reproduced in Paragraph 11 of the CARPAS Statutes.

At its First Session in 1962, the Commission adopted the set of Rules of Procedure which had been prepared by the Secretariat. These Rules (see Appendix I) were approved by the Director-General of FAO on 11 June 1964 and thus came into force on that date. They were confirmed by the FAO Council at its Forty-Third Session in October 1964.

8.2 Subsidiary bodies

Rule XXXI (1) of the General Rules of FAO provides that the bodies set up in pursuance of Article VI of the Constitution may establish sub-commissions, sub-committees or subsidiary working parties either to perform a substantive part of their functions or to carry out specific tasks.

The CARPAS Statutes and Rules of Procedure contain provisions concerning the type, membership, organization and financing (dealt with in Section 9 below) of the subsidiary bodies which the Commission may establish.

8.2.1 Type

A distinction is made, according to the subject matter to be entrusted to the subsidiary bodies, between sub-commissions on the one hand and committees and working parties on the other hand (Paragraph 8 (i) of the CARPAS Statutes).

On problems of major importance and general interest, the Commission may establish sub-commissions. For the study of problems of a more specialized nature, it may set up committees or working parties. Sub-commissions, in particular, may request the Commission to establish working parties.

The situation is not entirely clear as regards the possibility of establishing an executive committee of the Commission. At its Ninth Session held in 1957, the FAO Conference adopted the text of Principles and Procedures which should govern commissions established under Article VI of the Constitution. Paragraph 39 of this text prescribes that "the establishment of an executive committee, when provided for, shall be stated in the basic instruments or in the statutes of the bodies concerned". The provision of the CARPAS Statutes relating to observers makes a reference to the "executive committee, if any" of the Commission (Paragraph 6 (ii)). But neither the provision in the Rules of Procedure governing observers nor the specific provisions of the Statutes and of the Rules of Procedure relating to subsidiary bodies contemplate the setting up of a committee of this type. An executive committee is provided for in the Rules of Procedure of the European Inland Fisheries Advisory Commission, also established under Article VI (1) of the FAO Constitution. It consists of the Chairman and Vice-Chairmen of the Commission, and its main task is to direct and conduct the business of the Commission between its sessions. Provision for an executive committee is also made in the Agreements establishing the Indo-Pacific Fisheries Council and the General Fisheries Council for the Mediterranean within the framework of FAO under Article XIV of its Constitution. It should be pointed out, however, that the European Inland Fisheries Advisory Commission is composed of 18 members, the Indo-Pacific Fisheries Council of 17 members and the General Fisheries Council for the Mediterranean of 16 members.

Reference may be made in this connexion to the establishment of a CARPAS Co-ordinating Committee which was recommended by the Commission at its Second Session (See Section 8.2.4 below).

8.2.2 Membership

Pursuant to Paragraph 8 (ii) of the CARPAS Statutes, the subsidiary bodies of the Commission consist either of selected members of the Commission or of individuals appointed in their personal capacity. Both countries and individuals are designated by the Commission.

It may seem peculiar that the subsidiary bodies of a Commission comprising three members should consist of "selected" members, especially when it may be expected that all three members will wish to be represented on most of the subsidiary bodies. However, it should be recalled that under the Statement of Principles relating to the granting of observer status to nations as adopted by the FAO Conference, meetings of committees consisting of a limited number of Member Nations and Associate Members are not as a rule open to attendance by observers of other Member Nations or Associate Members. In fact, the Statutes of CARPAS provide that observers, whether from countries or from international organizations, may only attend meetings of the Commission itself.

8.2.3 Organization

The place and date of meetings of subsidiary bodies are determined by the Director-General of FAO in consultation with the Chairman of the Commission and with the competent authorities of the host country (Paragraph 4 (i) of the CARPAS Statutes).

The terms of reference and reporting procedures of the subsidiary bodies are determined by the Commission, in conformity with the General Rules and Principles of FAO (Rule VIII (4) of the CARPAS Rules of Procedure). As regards the terms of reference, mention has already been made of Rule XXXI(1) of the General Rules, which provides that commissions set up under Article VI of the FAO Constitution may establish subsidiary bodies "either to perform a substantive part of their functions or to carry out a specific task". As to reporting procedures, paragraph 30 of the Principles and Procedures referred to in Section 8.2.1 above provides that commissions established under Article VI, as well as their subsidiary bodies, shall transmit their reports and recommendations to the Director-General of FAO, those of the subsidiary bodies being transmitted through the parent body.

Each subsidiary body elects its own officers, who are eligible for re-election (Rule VIII (5) of the CARPAS Rules of Procedure).

The Rules of Procedure of the Commission apply, mutatis mutandis, to its subsidiary bodies (Rule VIII (6) of the CARPAS Rules of Procedure).

8.2.4 Subsidiary bodies established at the First and Second Sessions of the Commission

At its First Session, held in 1962, the Commission recommended the establishment of a Permanent Co-ordinating Sub-Commission and the setting up, within the framework of this Sub-Commission, of a Working Party on Fisheries Statistics and of a Working Party on Fish Breeding and Inland Fisheries (Report of the First Session of CARPAS, FI/R12, pp. 4, 7, 8). It was also noted that it might become necessary to establish a Sub-Commission on Fish Protein Concentrates (id., p. 5).

At the close of the Session, pursuant to Rule II of its Rules of Procedure, the Commission elected a Chairman and two Vice-Chairmen. It stated that they would constitute "the Executive Committee" and would remain in office until the close of the Second Session (id., p. 10).

There was no meeting of these subsidiary bodies during the interval between the First and the Second Sessions.

At its Second Session in 1964, the Commission considered that it would be appropriate to postpone the setting up of the Permanent Co-ordinating Sub-Commission until experience made it possible to decide upon its final structure. Instead, it recommended the establishment of a CARPAS Co-ordinating Committee, consisting of a representative of each member country and of the Secretary of the Commission. It would appear that the Secretary would not have the right to vote. The functions of the Committee would include co-ordinating technical assistance programs and dealing with the various matters coming up between sessions, other than those specifically assigned to other subsidiary bodies as part of their functions (Report of the Second Session of CARPAS, FI/R25, pp. 10 and 15).

The Commission also recommended the establishment of a Working Party on Fisheries Statistics, the terms of reference of which would include the preparation of a consolidated list of scientific and common names of fish, crustaceans and molluscs for the three member countries of the Commission, the definition of the statistical area for CARPAS and other measures needed for the improvement of fisheries statistics for both economic and research purposes (id., pp. 7-8). This Working Party was set up and held its first meeting at Buenos Aires, Argentina, from 29 November to 5 December 1965.

In addition, the Commission recommended the setting up of a Publications Committee, consisting of the Secretary or his representative and of one expert designated by each of the three member countries of the Commission, to be appointed at the end of each session and to remain in office until the close of the following session (id., pp. 5-6). The functions of this Committee are described in Section 10 below.

When the Commission elected a Chairman and two Vice-Chairmen to serve until the close of the Third Session, it did not state that they would form an executive committee (id., p. 16).

All subsidiary bodies consisting of "selected members" of the Commission include the three member countries of CARPAS. But it may be pointed out that it is not always clear from the Reports of the Commission whether the subsidiary bodies are to be made up of representatives of the members of the Commission or of individuals appointed in their personal capacity.

8.3 Secretariat

The Secretariat of the Commission is provided by FAO (Rule IX of the CARPAS Rules of Procedure).

The Director-General of FAO appoints, from among the staff of the Organization, the Secretary of the Commission who is responsible to him (Paragraph 7 of the CARPAS Statutes and Rule II of the Rules of Procedure). The present Secretary is the FAO Regional Fisheries Officer for the Eastern Zone of Latin America. His duty station is Rio de Janeiro, Brazil, where the headquarters of both the FAO Sub-Regional Office for the Eastern Zone of Latin America and of the Commission are located*.

* Paragraph 3 of the CARPAS Statutes provides that the headquarters of the Commission is at the headquarters of the Sub-Regional Office of FAO for the Eastern Zone of Latin America, or such other place as the Director-General of FAO may designate.

The Secretary of the Commission is assisted in his task, both during and between sessions and meetings, by the personnel of his office and the staff from FAO Headquarters. Technical assistance experts may be called upon, in the countries where they are stationed, to follow up the implementation of the Commission's recommendations. They may also be requested to attend meetings to advise or service the Commission and its subsidiary bodies.

The CARPAS Rules of Procedure provide in a general way that the Secretary of the Commission performs such duties as the work of the Commission may require (Rule II). This includes in particular preparing the sessions of the Commission and its subsidiary bodies, servicing these sessions, preparing the records of the proceedings, and transmitting to FAO the conclusions and recommendations of the Commission. The Secretary also has an important role to play by ensuring proper follow-up during the intervals between sessions.

9. FINANCING

Since the Commission does not have a separate budget of its own, membership of the Commission does not entail payment of any regular contribution over and above the contributions of member countries to the budget of FAO.

Members of the Commission bear the expenses incurred by their representatives, alternates or advisers, when attending sessions of the Commission or when attending meetings of its subsidiary bodies composed of representatives of governments (Paragraph 10 (i) of the CARPAS Statutes).

The expenses incurred by observers of governments or of international organizations in connection with attendance at sessions of the Commission, are borne by the governments or organizations concerned (id.).

Other expenses arising out of the Commission's activities are paid by FAO, as authorized by the Director-General, within the appropriate budgetary provisions of the Organization. In practice, the charges incurred are normally met out of the Regular Program budget earmarked for the Department of Fisheries.

The expenses borne by FAO include mainly the servicing of the Commission and its subsidiary bodies by the Secretariat. They also cover the cost of publications. In addition, FAO bears the expenses incurred by individuals who are appointed as members of subsidiary bodies in their personal capacity, and those incurred by experts who are invited by the Director-General to attend, in their individual capacity, sessions or meetings of the Commission or its subsidiary bodies (Paragraph 10 (ii), (iii) and (iv) of the CARPAS Statutes).

The CARPAS Statutes make it clear that the establishment of any subsidiary body of the Commission is subject to the availability of the necessary funds in the approved budget of FAO (Paragraph 8 (iii)). Before taking any decision involving expenditure in connection with the establishment or convening of subsidiary bodies, the Commission must have before it a report from the Director-General on the administrative and financial implications of the decision (Rule VIII (3) of the CARPAS Rules of Procedure). This is normally done with a minimum of formality. For example, the Commission adopted at its First Session recommendations on the establishment of a Permanent Co-ordinating Sub-Commission and of a Working Party on Fisheries Statistics and requested the Director-General to provide the necessary funds (Report of the First

Session of CARPAS, FI/R12, pp. 7-8). It is then the Director-General's responsibility to determine whether such funds are available.

As a general principle, the Director-General of FAO is required, in preparing the program of work and budget of the Organization, to take into account the recommendations of the Commission which have financial implications for the Organization and to bring them to the attention of the Conference or Council for appropriate action (Rule VII of the CARPAS Rules of Procedure).

10. REPORTS AND PUBLICATIONS OF CARPAS

The CARPAS Rules of Procedure provide that the Commission shall at each session approve a report embodying its views, recommendations and decisions, including, when requested, a statement of minority views (Rule VII (1)). The Commission may elect one or more rapporteurs from among the members' representatives on the Commission, or their alternates or advisers (Rule II (5)).

At the close of each session, the conclusions and recommendations of the Commission must be transmitted to the Director-General of FAO, who circulates them to the members of the Commission, and to Member Nations and Associate Members of FAO represented at the session, to international organizations invited to attend, and, upon request, to other Member Nations and Associate Members (Rule VII (2)). In addition, the Commission has to submit to the Director-General reports on its activities and recommendations at such appropriate intervals as to enable him to take them into consideration when preparing the draft program of work and budget of the Organization and other material for submission to the Conference or Council (Paragraph 9 of the CARPAS Statutes). Such general reports, covering not only the work carried out at the session of the Commission but also activities between sessions and the meetings of subsidiary bodies, are normally required every two years prior to the FAO Conference sessions. At its Twelfth Session in November-December 1963, the Conference "took note of the work" of the Commission. At its Thirteenth Session, in November-December 1965, it "endorsed the major lines of activity" proposed by the various regional fisheries councils and commissions.

The reports of the sessions of the Commission are published in the series FAO, Fisheries Reports, issued by the FAO Department of Fisheries.

Selected scientific and technical papers, including some of those contributed to sessions of the Commission, are issued in the series CARPAS, Documentos Tecnicos. The papers published so far deal with the present state of knowledge about fisheries and the biology of the commercially important marine species in southern Brazil; the preliminary results of the investigations into the biology of the anchovy (Engraulis anchoita) in the Buenos Aires area; and the preliminary results of the investigations into the biology of the mackerel and mackerel fishing in the area of Mar del Plata.

Information or short notes, lists, etc., including provisional versions of documents to be issued later in other series, are published in the series CARPAS, Documentos Ocasionales. The paper issued to date reproduces the provisional report of the First Meeting of the CARPAS Working Party on Fisheries Statistics.

The Secretariat of the Commission has undertaken the publication of CARPAS Boletín Informativo or information bulletin which will contain notes and comments on CARPAS and related FAO activities, including technical assistance programs in the region. It will also present any information from international agencies that may be of interest to the region served by the Commission, as well as news from member countries.

In view of the importance, both for the Commission and its members, of ensuring the publication and distribution of scientific contributions of the highest standard, the Commission recommended at its Second Session in 1964 the establishment of a Publications Committee (see Section 8.2.4 above). Its terms of reference are as follows:

" (i) assisting the Secretariat in technical matters connected with papers and documents of sessions;

(ii) selecting papers for publication and cataloguing them in the series used by the Commission (reports, technical papers and occasional papers) before termination of each session of the Commission;

(iii) giving advice, between sessions of the Commission, at the request of the Secretariat, on documents of special importance to CARPAS which should be published; and

(iv) recommending to member countries the publication of specific documents in national series. "

11. LIAISON WITH INTERNATIONAL BODIES

Both the CARPAS Statutes (Paragraph 6 (iii)) and Rules of Procedure (Rule VI (3)) provide that participation by international organizations in the work of the Commission and the relations between the Commission and such organizations are governed by the relevant provisions of the FAO Constitution and General Rules, as well as by rules on relations with international organizations adopted by the FAO Conference or Council. All such relations are dealt with by the Director-General of FAO.

At several of its sessions, the FAO Conference has examined the question of co-operation with international organizations, both governmental and non-governmental, and has adopted a policy and laid down guiding lines in this connexion (FAO Basic Texts, Volume II). FAO has concluded formal relationship agreements with a certain number of international inter-governmental organizations. Formal relations with international non-governmental organizations take one of three forms according to the importance of their field of activity in relation to the FAO activities. These are consultative status, specialized consultative status or liaison status.

In practice, the type of co-operation varies and may include reciprocal representation at meetings by accredited observers, exchange of publications, exchange of information, or consultations on subjects of common interest.

In addition to a general reference to the relevant FAO rules in the matter, the CARPAS Statutes provide that international inter-governmental or non-governmental organizations may be invited to be represented by an observer at the sessions of the

Commission itself. Such invitations are issued by the Director-General of FAO after consultation with the Chairman of the Commission (Paragraph 6 (iii)).

It is essential to ensure that all research and other activities carried out by international agencies in the same or related fields for their mutual benefit are taken into consideration. On the other hand, as noted by the FAO Conference at several of its sessions, it is important that FAO regional bodies, including those specializing in fisheries, co-operate fully with other regional bodies in the same fields in order to reduce duplication. The FAO Advisory Committee on Marine Resources Research, which acts in an advisory capacity to the Director-General of the Organization and to the Inter-Governmental Oceanographic Commission, follows these matters closely and may call attention to specific co-ordination problems as they arise.

APPENDIX I

STATUTES AND RULES OF PROCEDURE OF THE REGIONAL FISHERIES ADVISORY COMMISSION FOR THE SOUTH WEST ATLANTIC

STATUTES

THE DIRECTOR-GENERAL of the Food and Agriculture Organization of the United Nations,

Considering the terms of the Resolution No. 25/61 of the Eleventh Session of the Conference by which the Conference established, under paragraph 1 of Article VI of the FAO Constitution, a "Regional Fisheries Advisory Commission for the South West Atlantic" and authorized the Director-General, in accordance with the provisions of paragraph 3 of Article VI of the Constitution of the Organization, to determine in consultation with the Committee on Constitutional and Legal Matters the terms of reference, scope of activities, reporting procedures, and all other appropriate provisions applicable to the aforementioned Commission, consistent with the Principles and Procedures of the Organization governing Commissions and Committees,

Considering further the statutes which, in compliance with the terms of Resolution No. 25/61 of the Eleventh Session of the Conference, were drawn up by the Director-General in consultation with the Committee on Constitutional and Legal Matters,

Hereby promulgates the statutes of the Regional Fisheries Advisory Commission for the South West Atlantic shown below, which statutes shall come into force on 17 May 1962:

1. Membership

Membership of the Commission shall be open to all Member Nations of the Organization of the American Continent whose territories have coasts bordering on the Western Atlantic Ocean south of the Equator. Membership shall comprise such eligible nations as have notified the Director-General of the Organization of their desire to be considered as members. The effective date of membership shall be the date of receipt of this notification by the Director-General.

2. Purposes and Terms of Reference

The purposes and terms of reference of the Commission shall be :

a) to advise the Organization in respect of its work in fisheries within the geographic area served by the Commission,

b) to advise on the evolution of an organized approach among the interested Members of the Commission in respect of the administration and rational exploitation of marine and inland fisheries and to encourage cooperative action in the investigation of fishery resources and in other relevant research,

c) to assist in the collection and dissemination of pertinent information,

d) to encourage the training and proper utilization of competent professional personnel in the fisheries programs of the Members of the Commission,

e) to assist in the organization of appropriate discussions among experts in fishery questions concerning the geographic area served by the Commission,

f) to promote liaison and cooperation among competent institutions within the geographic area served by the Commission insofar as the Constitution, the General Rules, regulations and facilities of the Organization permit.

3. Seat

The seat of the Commission shall be at the seat of the Sub-Regional Office of the Organization for the Eastern Zone of Latin America, or such other place as the Director-General may designate.

4. Sessions

(i) The Commission and its subsidiary bodies shall hold sessions at such time and place as shall be determined by the Director-General in consultation with the Chairman of the Commission and with the competent authorities of the host country.

(ii) Each Member of the Commission shall have one representative who may be accompanied by an alternate and advisers. An alternate or adviser shall not have the right to vote except when substituting for the representative.

5. Quorum and Majority

(i) A majority of the Members of the Commission shall constitute a quorum.

(ii) Each Member of the Commission shall have one vote.

(iii) Decisions of the Commission shall be taken by a majority of the votes cast, unless otherwise provided in the Rules of Procedure of the Commission.

6. Observers

(i) Any Member Nation of the Organization and any Associate Member that is not a Member of the Commission but has a special interest in the work of the Commission may, upon request communicated to the Director-General of the Organization, attend as observer, sessions of the Commission. Notice of the intention to attend such sessions shall be given to the Director-General at least 15 days before the session, it being understood that such notice may be waived by the Commission.

(ii) In accordance with the Statement of Principles relating to the granting of observer status to nations, adopted by the Conference of the Organization, nations which, while not Member Nations or Associate Members of the Organization, are members of the United Nations, may, upon request and with the approval of the Council of the Organization, granted upon the recommendation of the Commission or its executive committee, if any, attend, in an observer capacity, sessions of the Commission.

(iii) Participation of international organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitution and the General

Rules of the Organization as well as by rules on relations with international organizations adopted by the Conference or Council of the Organization. All such relations shall be dealt with by the Director-General of the Organization. Any invitation to an inter-governmental or non-governmental organization to be represented by an observer at a session of the Commission shall be issued by the Director-General after consultation with the Chairman of the Commission.

7. Secretary

The Secretary of the Commission shall be appointed by the Director-General of the Organization from the staff of the Organization.

8. Subsidiary Bodies

(i) The Commission may establish sub-commissions on problems of major importance and general interest, and committees or working parties for the study of problems of a more specialized nature. Sub-commissions may request the Commission to establish working parties.

(ii) The subsidiary bodies referred to in the preceding sub-paragraph shall consist of selected members of the Commission or of individuals appointed in their personal capacity. The designation of the members of the subsidiary bodies shall be made by the Commission.

(iii) Establishment of any subsidiary body shall be subject to the availability of the necessary funds in the approved budget of the Organization.

9. Reporting

The Commission shall submit to the Director-General reports on its activities and recommendations at such appropriate intervals as to enable the Director-General to take them into consideration when preparing the draft program of work and budget of the Organization and other submissions to the Conference and Council.

10. Administrative and Financial Matters

(i) Expenses incurred by representatives of Members of the Commission, their alternates or advisers, when attending sessions of the Commission or its subsidiary bodies, as well as the expenses incurred by observers of governments or of international organizations in connection with attendance at sessions of the Commission, shall be borne by the respective governments or organizations.

(ii) Expenses of individuals, who are members of subsidiary bodies in their personal capacity, which are incurred in connection with their attendance at sessions of such subsidiary bodies, shall be borne by the Organization. Expenses of experts invited by the Director-General of the Organization to attend, in their individual capacity, sessions or meetings of the Commission or its subsidiary bodies shall likewise be borne by the Organization.

(iii) The secretariat of the Commission shall be provided, and its expenses borne, by the Organization.

(iv) The Director-General may, within the appropriate budgetary provisions of the Organization, authorize payment of other expenses arising out of the

activities of the Commission.

(v) Any financial operations of the Commission shall be governed by the appropriate provisions of the Financial Regulations of the Organization.

11. Rules of Procedure

The present statutes may be supplemented by Rules of Procedure for the Commission. Such Rules of Procedure and amendments thereto, adopted by the Commission, shall come into force only upon approval by the Director General, subject to confirmation by the Council.

12. Amendments to Statutes

The Commission may propose amendments to the present statutes. Any such proposal shall be communicated to the Director-General in time for inclusion in the Agenda of the next session of the Council or Conference of the Organization as appropriate.

RULES OF PROCEDURE OF THE REGIONAL FISHERIES ADVISORY COMMISSION FOR THE SOUTH WEST ATLANTIC

Rule I - Membership

1. Membership in the Regional Fisheries Advisory Commission for the South West Atlantic is open to all Member Nations of the Food and Agriculture Organization of the United Nations whose territories are situated in the region as defined by the Statutes promulgated by the Director-General of the Organization effective 17 May 1962. Membership shall comprise such eligible Nations as have notified the Director-General of the Organization of their desire to be considered as Members.

2. Each Member of the Commission shall communicate to the Director-General of the Organization the name of its representative before the opening of each session of the Commission, who shall so far as possible have responsibilities related to the formulation or implementation of the fishery policy of the Member he represents.

Rule II - Officers

1. The Commission shall elect a Chairman and two Vice-Chairmen from among the representatives to the Commission at the close of each session, who shall remain in office until the election of the new Chairman and Vice-Chairmen. The outgoing Chairman and Vice-Chairmen shall be eligible for re-election.

2. The Chairman, or in his absence a Vice-Chairman, shall preside at meetings of the Commission and exercise such other functions as may be required to facilitate the work of the Commission. The Vice-Chairman, acting as Chairman, shall have the same powers and duties as the Chairman.

3. In the event that both the Chairman and the Vice-Chairmen are unable to serve, the Director-General of the Organization or his representative shall act as Chairman, until new officers have been elected.

4. The Director-General of the Organization shall appoint, from among the staff of the Organization, a Secretary of the Commission who shall be responsible to him. The Secretary shall perform such duties as the work of the Commission may require.

5. The Commission may elect one or more rapporteurs from among the Members' representatives to the Commission, or their alternates or advisers as referred to in Rule III.

Rule III - Sessions

1. The Commission and its subsidiary bodies shall hold sessions at such time and place as shall be determined by the Director-General in consultation with the Chairman of the Commission and with the competent authorities of the host country.

2. Notice of the date and place of each session of the Commission shall, normally two months before the sessions, be communicated to all Members of the Commission.

3. Each Member of the Commission shall have one representative, who may be accompanied by an alternate and advisers. An alternate or adviser shall not have the right to vote except when substituting for the representative.

4. A majority of the Members of the Commission shall constitute a quorum.

5. Meetings of the Commission shall be held in public unless the Commission decides otherwise.

Rule IV - Agenda

1. The Director-General of the Organization, after consultation with the Chairman of the Commission, shall prepare a provisional agenda for each session of the Commission.

2. The first item on the provisional agenda shall be the adoption of the agenda.

3. Any Member of the Commission may request the Director-General of the Organization to include specific items in the provisional agenda.

4. The provisional agenda shall be circulated by the Director-General of the Organization to all Members of the Commission, normally two months before the opening of the session.

5. Any Member of the Commission, and the Director-General of the Organization, may, after the dispatch of the provisional agenda, propose the inclusion of specific items in the agenda with respect to matters of an urgent nature. These items shall be placed on a supplementary list, which, if time permits before the opening of the session, shall be dispatched by the Director-General of the Organization to all Members of the Commission, failing which the items shall be communicated to the Chairman for submission to the Commission.

6. After the agenda has been adopted, the Commission may, by a majority of the votes cast, amend the agenda by the deletion, addition or modification of any item. No matter referred to the Commission by the Conference or Council of the Organization may be omitted from the agenda.

7. Documents to be considered by the Commission shall be transmitted by or through the Director-General of the Organization to the Members of the Commission, the other Member Nations of the Organization attending the session and to the non-member nations and international organizations invited to the session, at the time the agenda is

dispatched or as soon as possible thereafter.

Rule V - Voting and Procedures

1. Each Member of the Commission shall have one vote.

2. Decisions of the Commission shall be taken by a majority of the votes cast, unless otherwise provided in these Rules.

3. Upon the request of any Member of the Commission, voting shall be by roll-call, in which case the vote of each Member shall be recorded.

4. When the Commission so decides, voting shall be by secret ballot.

5. Formal proposals relating to items on the agenda and amendments thereto shall be introduced in writing and handed to the Chairman, who shall circulate copies to the representatives.

6. In addition to the above Rules, the provisions of Rule XII of the General Rules of the Organization shall apply mutatis mutandis.

Rule VI - Observers

1. Subject to the relevant provisions governing the granting of observer status, as adopted by the Conference of the Organization, any Member Nation or Associate Member of the Organization that is not a Member of the Commission but has a special interest in the work of the Commission may, upon request, attend sessions of the Commission in an observer capacity. Such request shall be communicated to the Director-General of the Organization at least fifteen days before the session, it being understood that this period of notice may be waived by the Commission.

2. In accordance with the Statement of Principles relating to the granting of observer status to nations, adopted by the Conference of the Organization, nations which, while not Member Nations or Associate Members of the Organization, are members of the United Nations, may, upon their request and with the approval of the Council of the Organization, granted upon the recommendation of the Commission, attend, in an observer capacity, sessions of the Commission.

3. Participation of international organizations in the work of the Commission, and the relations between the Commission and such organizations, shall be governed by the relevant provisions of the Constitution and the General Rules of the Organization as well as by the rules on relations with international organizations adopted by the Conference or Council of the Organization. All such relations shall be dealt with by the Director-General of the Organization. Any invitation to an inter-governmental or non-governmental organization to be represented by an observer at a session of the Commission shall be issued by the Director-General after consultation with the Chairman of the Commission.

Rule VII - Records and Reports

1. At each session, the Commission shall approve a report embodying its views, recommendations and decisions, including, when requested, a statement of minority views. Such other records, for its own use, as the Commission may on occasion decide, shall also be maintained.

2. Conclusions and recommendations of the Commission shall be transmitted at the close of each session to the Director-General of the Organization, who shall circulate

them to Members of the Commission, Member Nations and Associated Members represented at the Session, international organizations invited to attend, and, upon request, to other Member Nations and Associate Members of the Organization.

3. The Director-General shall, in preparing the program of work and budget of the Organization, take into account recommendations having policy, program or financial implications for the Organization and shall bring them to the attention of the Conference or Council for appropriate action.

4. The Director-General of the Organization may request Members of the Commission to supply the Commission with information on action taken on the basis of recommendations and proposals made by the Commission.

Rule VIII - Subsidiary Bodies

1. The Commission may establish sub-commissions on problems of major importance and general interest, and committees or working parties for the study of problems of a more specialized nature. Sub-commissions may request the Commission to establish working parties.

2. The subsidiary bodies referred to in the preceding sub-paragraph shall consist of selected members of the Commission or of individuals appointed in their personal capacity. The designation of the members of the subsidiary bodies shall be made by the Commission.

3. The establishment and convening of subsidiary bodies shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization. The determination of such availability shall be made by the Director-General of the Organization. Before taking any decision involving expenditure in connection with the establishment or convening of subsidiary bodies, the Commission shall have before it a report from the Director-General on the administrative and financial implications thereof.

4. The terms of reference and reporting procedures of the subsidiary bodies shall be determined by the Commission, in conformity with the General Rules and Principles of the Organization.

5. Each subsidiary body shall elect its own officers, who shall be eligible for re-election.

6. The Rules of the Commission shall apply *mutatis mutandis* to its subsidiary bodies and *ad hoc* meetings.

Rule IX - Administrative and Financial Matters

1. Expenses incurred by representatives of Members of the Commission, their alternates or advisers, when attending sessions of the Commission or its subsidiary bodies, as well as the expenses incurred by observers of governments or of international organizations in connection with their attendance at sessions of the Commission, shall be borne by the respective governments or organizations.

2. Expenses of individuals, who are members of subsidiary bodies in their personal capacity, which are incurred in connection with their attendance at sessions of such subsidiary bodies, shall be borne by the Organization. Expenses of experts invited by the Director-General of the Organization to attend, in their individual capacity, sessions or meetings of the Commission or its subsidiary bodies shall likewise be borne by the Organization.

3. The secretariat of the Commission shall be provided, and its expenses borne, by the Organization.

4. The Director-General may, within the appropriate budgetary provisions of the Organization, authorize the payment of other expenses arising out of the activities of the Commission.

5. Any financial operations of the Commission shall be governed by the appropriate provisions of the Financial Regulations of the Organization.

Rule X - Languages

1. Spanish shall be the official language of the Commission.

2. Any representative using a language other than the official language shall provide for interpretation into the official language.

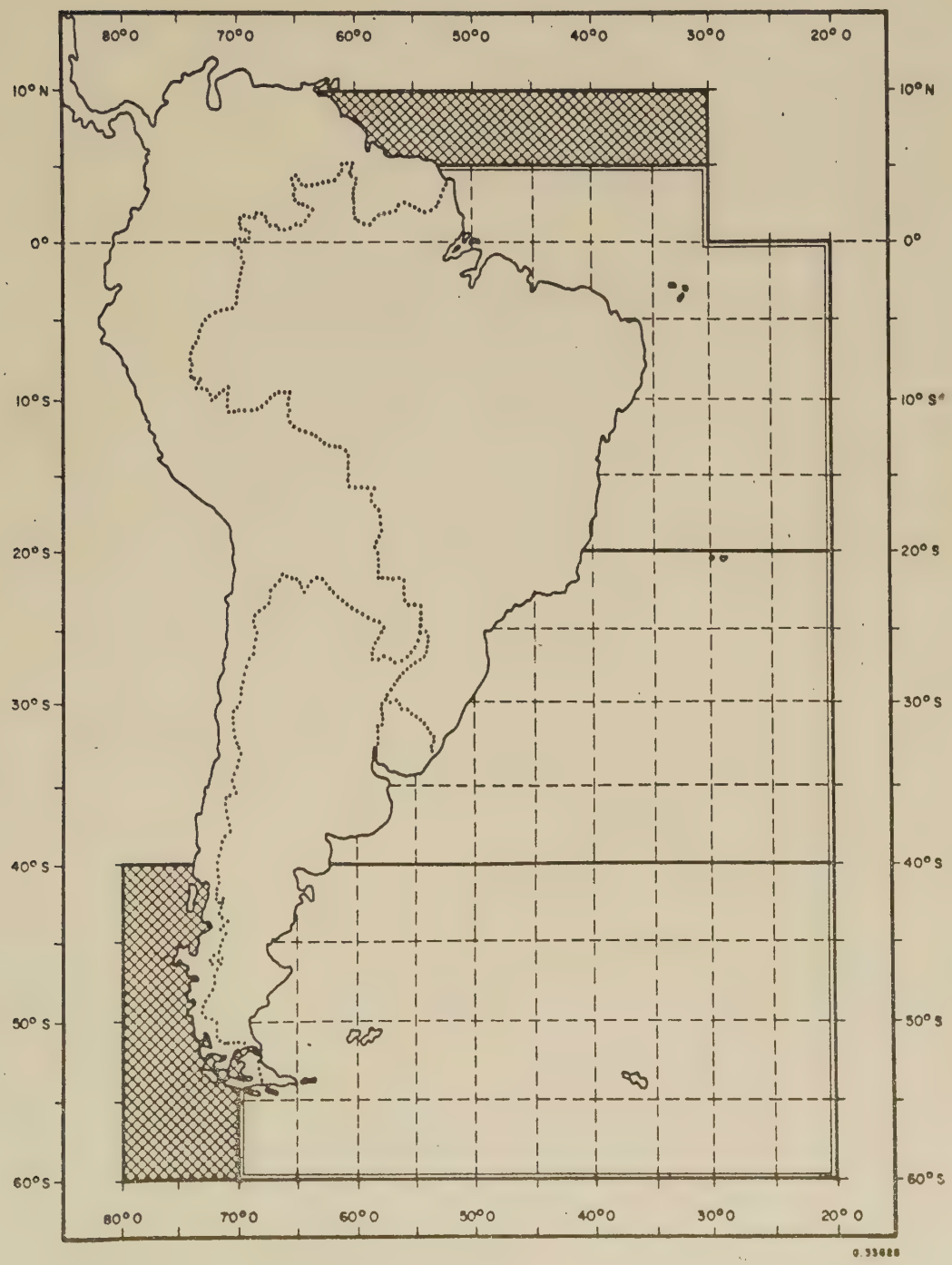
Rule XI - Amendment and Suspension of Rules

1. Amendment of, or addition to, these Rules may be adopted by a two-thirds majority of the membership of the Commission, provided that 24 hours' notice of the proposal for the amendment or addition has been given. Amendments or additions to these Rules shall come into force upon approval by the Director-General of the Organization, subject to confirmation by the Council of the Organization.

2. Any of the above Rules of the Commission, other than Rule I-1, Rule II-4, Rule III-1 and 4, Rule IV-6, Rule V-2, Rule VI, Rule VII-2, 3 and 4, Rule VIII, Rule IX and Rule XI, may be suspended by the Commission by a majority of the votes cast, provided that 24 hours' notice of the proposal for the suspension has been given. Such notice may be waived if no representative of the Members of the Commission objects.

APPENDIX II

MAP OF THE CARPAS STATISTICAL SEA AREA RECOMMENDED BY THE CARPAS WORKING PARTY ON FISHERIES STATISTICS



FAO FISHERIES TECHNICAL PAPERS (RE)

This is one of a group of Technical Papers (see inside front cover) giving information about persons, institutions and organizations conducting research on, or interested in, a particular subject within the general field of aquatic sciences and fisheries. Some of these technical documents are selected lists of institutions or research workers, others are summaries or critical analyses of the functions and activities of a particular institute or organization. Further information and extra copies can be obtained from:

Biological Data Section
Fishery Resources and Exploitation Division
FAO, Rome, Italy

(Papers issued since January 1964)

FIb/T15 (Rev. 1)	A list of inland fishery workers in Europe	April 1964
FIb/T44 (Rev. 1)	A world list of experts concerned with the study of the biology and culture of shrimps and prawns	January 1965
FIb/T57	Establishment, structure, functions and activities of international fisheries bodies I - Indo-Pacific Fisheries Council (IPFC)	September 1965
FIb/T58	Establishment, structure, functions and activities of international fisheries bodies II - Inter-American Tropical Tuna Commission (IATTC)	September 1965
FRm/T60	Establishment, structure, functions and activities of international fisheries bodies III - Regional Fisheries Advisory Commission for the South West Atlantic (CARPAS)	February 1966

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